

SIKKIM



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**GOVERNMENT OF SIKKIM
TRANSPORT DEPARTMENT,
MOTOR VEHICLES DIVISION**

No.GOS/T/MV/2016-17/42

Dated:10/08/2016

NOTIFICATION

The draft of certain rules which the State Government proposed to make in exercise of the powers conferred by section 28, 38, 65, 95, 96, 107, 111, 138 and 176 of the Motor Vehicles Act, 1988(59 of 1988), is hereby published as required by sub-section (1) of section 212 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft rule would be taken into consideration after the expiry of period of 45(forty five) days from the date on which the copies of the notification as published in the Official Gazette are made available to the public.

Any objection or suggestion which may be received from any person with respect to the said draft rules before the expiry of the period, so specified, shall be considered by the State Government.

DRAFT RULES

- | | | | | | | | | | | | | | | |
|--|----------|--|--------------------------------|---|-------|--|---|-------|-------------------------------------|---|--------|---------------------------------------|---|---------|
| Short title,
extent and
commencement | 1 | (1) These rules may be called the Sikkim Motor Vehicles (Amendment) Rules, 2016
(2) They shall extend to the whole of Sikkim.
(3) They shall come into force on the date of their publication in the Official Gazette. | | | | | | | | | | | | |
| Amendment
of rule 2 | 2 | In the Sikkim Motor Vehicles Rules, 1991 (hereinafter referred to as the said rules) in clauses (k) of rule 2, in the Table, for sub-clauses (i), (ii), (iii) and (iv) and the entries relating thereto, the following shall be substituted, namely:-

<table border="0"><tr><td>“(i) State Transport Authority</td><td>-</td><td>Rs.50</td></tr><tr><td>(ii) The Sikkim State Transport Appellate Tribunal</td><td>-</td><td>Rs.50</td></tr><tr><td>(iii) The Secretary, Motor Vehicles</td><td>-</td><td>Rs.150</td></tr><tr><td>(iv) Authorities not specified above.</td><td>-</td><td>Rs.100”</td></tr></table> | “(i) State Transport Authority | - | Rs.50 | (ii) The Sikkim State Transport Appellate Tribunal | - | Rs.50 | (iii) The Secretary, Motor Vehicles | - | Rs.150 | (iv) Authorities not specified above. | - | Rs.100” |
| “(i) State Transport Authority | - | Rs.50 | | | | | | | | | | | | |
| (ii) The Sikkim State Transport Appellate Tribunal | - | Rs.50 | | | | | | | | | | | | |
| (iii) The Secretary, Motor Vehicles | - | Rs.150 | | | | | | | | | | | | |
| (iv) Authorities not specified above. | - | Rs.100” | | | | | | | | | | | | |

Amendment of rule 6	3	In rule 6 of the said rules, for the existing figure "Rs.50" the figure "Rs.500" shall be substituted.												
Amendment of rule 6B	4	In rule 6B of the said rules, for the existing figure "Rs.50" the figure "Rs.500" shall be substituted.												
Amendment of rule 11	5	In rule 11 of the said rules, in sub-rule (8), for the words "two hundred rupees", the words "four hundred rupees" shall be substituted.												
Amendment of rule 15	6	In rule 15 of the said rules, for the words "two hundred rupees", wherever they occur, the words "four hundred rupees" shall be substituted.												
Amendment of rule 23	7	In rule 23 of the said rules, in sub-rule (3), for the words "ten rupees", the words "one hundred rupees" shall be substituted.												
Amendment of rule 37	8	In rule 37 of the said rules:- (1) in sub-rule (3), for the words "fifteen rupees", the words "one hundred fifty rupees" shall be substituted; (2) in sub-rule (5), for the words "fifty paisa", the words "five rupees" and for the words "ten rupees", the words "one hundred rupees" shall respectively be substituted.												
Amendment of rule 39	9	In rule 39 of the said rules, in sub-rule (1A), for clauses (a), (b), (c) and (d) and the entries relating thereto, the following shall be substituted, namely:- <table border="0"> <tr> <td>"(a) Two wheelers</td><td>-</td><td>Rs.500/-</td></tr> <tr> <td>(b) Light motor vehicle</td><td>-</td><td>Rs.1000/-</td></tr> <tr> <td>(c) Medium goods vehicle</td><td>-</td><td>Rs.1500/-</td></tr> <tr> <td>(d) Heavy motor vehicle</td><td>-</td><td>Rs.2000/-"</td></tr> </table>	"(a) Two wheelers	-	Rs.500/-	(b) Light motor vehicle	-	Rs.1000/-	(c) Medium goods vehicle	-	Rs.1500/-	(d) Heavy motor vehicle	-	Rs.2000/-"
"(a) Two wheelers	-	Rs.500/-												
(b) Light motor vehicle	-	Rs.1000/-												
(c) Medium goods vehicle	-	Rs.1500/-												
(d) Heavy motor vehicle	-	Rs.2000/-"												
Insertion of new rule 39A	10	In the said rules, after rule 39, the following rule shall be inserted, namely:- "39A. Late fee:- The penalty shall be imposed after expiry of 30 days of temporary certificate of registration. If the last date of penalty is sunday or a public holiday, the fee shall be accepted without penalty on the next working day. After the expiry of 30 days, the penalty shall be at the rate equal to the number of days or months of annual tax including Rs.100/- on late submission of application for registration."												
Amendment of rule 55	11	In rule 55 of the said rules, in sub-rule (1), for the words "fifteen rupees", the words "one hundred fifty rupees" shall be substituted.												
Amendment of rule 58	12	In rule 58 of the said rules:- (1) in sub-rule (1), for the words "twenty rupees", the words "two hundred rupees" shall be substituted; (2) in sub-rule (3), for the words "fifty paisa", the words "five rupees" and for the words "five rupees", the words "hundred rupees" shall respectively be substituted.												

- Amendment of rule 68
- 13 In rule 68 of the said rules, in sub-rule (3), for the words "ten rupees", the words "one hundred rupees" shall be substituted.
- Amendment of rule 73
- 14 In rule 73 of the said rules, for the words "thirty five thousand rupees", the words "fifty thousand rupees" shall be substituted.
- Amendment of rule 90
- 15 In rule 90 of the said rules, in sub-rule (6), for the existing figure "150/-", the figure "1500/-" and for the figure "100/-", the figure "1000/-" shall respectively be substituted.
- Amendment of rule 91
- 16 In rule 91 of the said rules:-
- (1) in sub-rule (4), for the words "two hundred rupees", the words "two thousand rupees" shall be substituted;
 - (2) In clause (iv) of sub-rule (5), for the words "twenty five thousand rupees", the words "fifty thousand rupees" shall be substituted;
 - (3) in sub-rule (24) for the words "twenty five rupees", the words "two hundred fifty rupees" shall be substituted;
 - (4) in sub-rule (25), for the words "five rupees", the words "one hundred rupees" shall be substituted.
- Amendment of rule 93
- 17 In rule 93 of the said rules:-
- (A) in sub-rule (2),-
 - (1) in clause (a),
 - (a) for sub-clauses (i), (ii), (iii) and (iv), the following shall be substituted, namely:-

"(i) Goods Carriage	- Rs.2,000/-per year
(ii) Contract Carriage (other than motor cab and maxi cab)	- Rs.2,000/-per year
(iii) Contract Carriage (Motor cab and maxi cab)	- Rs.500/-per year
(iv) State Carriage (SNT owned)	- Rs.1,000/- per year;"
 - (b) after sub-clause (iv), the following sub-clauses (v), (vi), (vii) and (viii) shall be inserted, namely:-

"(v) Stage Carriages (private owned under SNT undertaking & educational institutions)	- Rs.3,000/- per year
(vi) Stage Carriages (company owned)	- Rs.10,000/- per year
(vii) Project area permit for company owned Goods carriers to ply within project area	- Rs.1,000/- per month
(viii) Project area permit for company own construction equipments & machineries to ply within project area	- Rs.500/- per month;"
 - (2) in clause (b), for sub-clause (i), (ii), (iii) and (iv), the following shall be substituted, namely:-

(iv) For extension of route or increase
in the number of trips - Rs.500/-"

(2) for clause (b), the following shall be substituted, namely:-

"Goods carriers - Rs.500/-"

(3) in clauses (c), for sub-clause (i) and (ii), the following shall
be substituted, namely:-

"(i) Omnibus - Rs.500/-

(ii) Taxis - Rs.500/-"

Amendment of 22 In rule 152 of the said rules, for the words "fifty paisa", the words
rule 152 "five rupees" and for the words "five rupees", the words "hundred
rupees" shall respectively be substituted.

**S.B.S. Bhadauria, IFS
Secretary to the Govt. of Sikkim
Transport Department**